IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

COMPANY PETITION NO. 512 OF 2004

D.M. Shah & Brothers. .. Petitioners.

vs.

Shahi Shipping Ltd., .. Respondents.

Mr. S.V. Lad for petitioners.

Mr. H.N. Thakore for company.

CORAM : S.U.KAMDAR, J.

DATE : 8th APRIL, 2005.

P.C.

1. The learned counsel for the petitioner makes a statement that they are willing to deposit Rs. 7 lacs in the present petition towards the claim of the petitioners. Such deposit to be made within 4 weeks from today. In an event such amount is deposited a communication of such deposit to be given to the petitioner. The petitioner to file a suit within four weeks from the date of communication letter from the advocate of the respondent company of deposit being made.

2. If the amount is not so deposited within the period stipulated the company petition to stand

admitted and advertised. The petitioner to deposit with the Prothonotary and Senior Master a sum of Rs. 2000/- within a period of one week from today.

3. The admission of the petition to be advertised in two newspapers namely, Free Press Journal and Navshakti and Government Gazette. On the failure of the petitioner to advertise the said petition, office is directed to advertise the same by utilising the amount deposited.

4. In an event if the amount is deposited and suit is filed by the petition within the period stipulated hereinabove, the respondent company will be entitled to withdraw the said amount. If such amount is deposited as aforesaid, the petition to stand dismissed.